

SPANISH VALLEY WATER & SEWER IMPROVEMENT DISTRICT

Annual Meeting
February 6, 2002

The meeting was called to order by Vice Chairman Dan Holyoak at 7:00 p.m. at the Agency office, 3025 E Spanish Trail Road, Moab, Utah. Other SVWSID Members present were Neal Dalton, Al McLeod, and Barbara Morra. Absent: Karla VanderZanden. Those in attendance established a quorum.

Others present were Dale Pierson; Rhonda Riberia; Marsha Modine; Ted Barnes – Clyde, Snow, Sessions, & Swenson; John Chartier – Sunrise Engineering; Mitch Kelling; Kirsten Peterson; Bill Balaz; Jim Koehler; GWSSA Members – Gary Wilson, Rex Tanner, Bill McDougald, Kyle Bailey, Jerry McNeely, Dan Pyatt; and Dave Cozzens.

After calling for additions or corrections to the minutes of the Budget Hearing & Regular Meeting of December 20, 2001 and hearing none, Vice Chairman Holyoak stated a motion to approve would be in order. Motion to approve the minutes by Neal. Seconded: Al. Dan – aye, Neal – aye, Al – aye, Barbara – aye. Motion carried.

Elect Chairman, Vice Chairman, Clerk Vice Chairman Holyoak opened the floor for nominations. Al nominated Dan for Chairman, Barb for Vice Chairman, and Neal for Clerk. Second by Barb. Al – aye, Barb – aye, Dan – nay, Neal – nay. Motion failed.

Elect
Chair,
Vice Chair,
Clerk

Neal nominated Dan for Chairman, Karla for Vice Chairman, and Barb for Clerk. Second by Dan. Discussion noted two opposing reports that Karla was/was not able to devote sufficient time as an Officer. Al – nay, Barb – nay, Neal – aye, Dan – aye. Motion failed.

Al nominated Dan for Chairman, second by Barb. Al – aye, Barb – aye, Neal – aye, Dan – abstained. Motion carried.

Al motioned to table election of the Vice Chairman until Karla could be present. Second by Barb. Al – aye, Barb – aye, Neal – aye, Dan – aye. Motion carried.

Al nominated Neal as Clerk. Discussion resulted in Al rescinding the motion. Al motioned to table election of the Clerk until Karla could be present. Second by Neal. Al – aye, Barb – aye, Neal – aye, Dan – aye. Motion carried.

Appoint Check Signer Al motioned to table until Karla could be present. Second by Neal. Al – aye, Barb – aye, Neal – aye, Dan – aye. Motion carried.

Appoint
check signer

Elect Representative on GCSSWD Board Dale noted Paul's term did not expire until 2004, it was the Board's choice to let him finish the term, or elect someone else. Barb motioned to appoint Neal as the SVWSID Representative on the GCSSWD Board. Second by Al. Neal motioned Paul remain until his term expired. Second by Dan. Point of Order noted that Barb's motion was on the floor. The question was called for Barb's motion – Barb – aye, Al – aye, Dan – aye, Neal – nay. Motion carried. The question was not called for Neal's motion, as the first motion was carried.

Elect Rep on
GCSSWD Board

Additional Funding for Water Project John Chartier discussed the reasons and amounts of the overrun for the project, referring to a letter and spreadsheet presented in the Board packets. Discussion followed in which John and Dale answered Board questions. Dale noted he and John would be asking for additional funding at the March 1st Drinking Water Board meeting in St. George. Dale added the request would be for the same funding mix of loan and grant as originally authorized.

Additional
Funding -
Water Project

Amend Engineering Agreement John explained that normally Water Rights protests can be anticipated, but that this protest would take a bit more work than the norm. Dale noted that three of those protesting could be represented at the hearing by counsel and hydro-geologists. Dale added the Agency needs to be represented in the same manner. John stated the estimated cost for Sunrise Engineering's work would be approximately \$9000.00, **charged hourly with the \$9000.00 not to be exceeded**, [amended 2/20/02] based on the outline provided by counsel and Agency Staff. John noted he would present a written agreement to the Board at a future meeting.

Amend
Engineering
Agreement

**Set
Emergency**

Meeting Date Barb motioned that an Emergency meeting of the SVWSID board be held February 13, 2002, 7:00 p.m. at the Agency office. Second by Al. Neal – aye, Dan – aye, Barb – aye, Al – aye. Motion carried.

Set Meeting

Executive Session – to discuss pending litigation Vice Chairman Holyoak explained the executive session was being held to discuss pending litigation. In response to Board questions Ted Barnes affirmed that pending litigation was one of the reasons set forth in Utah Code to permit executive sessions. Motion by Al to enter Executive Session to discuss pending litigation. Second by Neal. Neal – aye, Dan – aye, Al – aye, Barb – aye. Motion carried. The public was requested to wait in the front office until the Session was completed. They complied.

Executive Session

The public was invited back and thanked for their patience. Motion by Al to end the Executive Session. Second by Barb. Neal – aye, Dan – aye, Barb – aye, Al – aye. Motion carried.

Vice Chairman Holyoak declared the meeting adjourned. Hearing no objections the meeting adjourned at 8:18 p.m.

ATTEST:

A. Dan Holyoak, Vice Chairman

Clerk